

COUNTY OF



ALLEGHENY

RICH FITZGERALD
COUNTY EXECUTIVE

February 26, 2019

Jon Moss
c/o Muck Rock News
Dept. MR67420
411A Highland Avenue
Somerville, MA 02144-2516

67420-16388466@requests.muckrock.com

Re: RTK – Final Response

Dear Mr. Moss:

This is in response to your attached request for records made pursuant the Pennsylvania Right-to-Know Law (RTKL). This Office received your request on January 15, 2019 and notified you on January 23, 2019 that an extension of time to respond to your request was necessary due to bona fide staffing limitations.

You requested the following:

Any emails sent to or from Mike Peairs, of the Allegheny County Police, between December 8, 2017 and December 23, 2017.

Your request is granted in part and denied in part.

At my request, the Allegheny County Division of Computer Services conducted a record search based on the criteria identified in your request. Based upon the stated criteria, records responsive to your request were found. They are attached hereto in an electronic format.

However, certain records have not been produced or have been redacted to remove information that is exempt from disclosure under the following provisions of the RTKL: 1) personal identification information, which is exempt from disclosure under Section 708 (b) (6) (i) (A) of the RTKL; 2) information relating to a criminal investigation, which is exempt from disclosure under Section 708 (b) (16) of the RTKL; 3) information relating to a noncriminal investigation, which is exempt from disclosure under Section 708 (b) (17) of the RTKL; and 4) records relating to an agency employee, which are exempt from disclosure under Section 708 (b) (7) of the RTKL. Therefore, as to the items redacted from these records, your request is respectfully denied.

JERRY TYSKIEWICZ, DIRECTOR

DEPARTMENT OF ADMINISTRATIVE SERVICES

202 COURTHOUSE • 436 GRANT STREET • PITTSBURGH, PA 15219
PHONE (412) 350-6109 • FAX (412) 350-4925 • WWW.ALLEGHENYCOUNTY.US

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In addition, some information was redacted due to the Pennsylvania Criminal Record History and Information Act ("CHRIA"), which prohibits criminal justice agencies from disseminating investigative information, except to other criminal justice agencies. 18 Pa. Cons. Stat § 9106(c)(4). CHRIA defines "investigative information" as "information assembled as a result of the performance of any inquiry, formal or informal, into a criminal incident or an allegation of criminal wrongdoing." *Id.* § 9102. Section 102 of the RTKL defines "public record" to exclude any record that is "exempt from being disclosed under any other Federal or State law or regulation or judicial order or decree."

Pursuant to Section 1101 of the RTKL, a party denied access to a requested record may file a written appeal of the denial with the Pennsylvania Office of Open Records ("OOR") within fifteen (15) business days of the mailing date of the local agency's response. The OOR's address is:

Pennsylvania Office of Open Records
333 Market Street - 16th Floor
Harrisburg, PA 17126-0333

Pursuant to Section 503 (d) (2) of the RTKL, any party denied access to any record related to a criminal investigation may file an appeal with the Allegheny County District Attorney's Office within 15 business days of the mailing date of the agency response:

Deputy District Attorney Michael Streily
Allegheny County District Attorney's Office
436 Grant Street - Room 401 Courthouse
Pittsburgh, PA 15219

Sincerely,

A handwritten signature in black ink, appearing to read "Jerry Tyskiewicz". The signature is stylized with a large, looped "J" and a cursive "Tyskiewicz".

Jerry Tyskiewicz, Director
County of Allegheny Open Records Officer

From: 67420-16388466@requests.muckrock.com <67420-16388466@requests.muckrock.com>
Sent: Tuesday, January 15, 2019 11:11 AM
To: OpenRecords <OpenRecords@AlleghenyCounty.US>
Subject: Pennsylvania Right to Know Act Request: Peairs Emails

Allegheny County Police Department
RTK Office
436 Grant Street
Pittsburgh, PA 15219

January 15, 2019

To Whom It May Concern:

Pursuant to the Pennsylvania Right to Know Act, I hereby request the following records:

Any emails sent to or from Mike Peairs, of the Allegheny County Police, between December 8, 2017 and December 23, 2017.

The requested documents will be made available to the general public, and this request is not being made for commercial purposes.

In the event that there are fees, I would be grateful if you would inform me of the total charges in advance of fulfilling my request. I would prefer the request filled electronically, by e-mail attachment if available or CD-ROM if not.

Thank you in advance for your anticipated cooperation in this matter. I look forward to receiving your response to this request within 5 business days, as the statute requires.

Sincerely,

Jon Moss

Filed via MuckRock.com

E-mail (Preferred): 67420-16388466@requests.muckrock.com

Upload documents directly: https://www.muckrock.com/accounts/agency_login/allegheny-county-police-department-629/peairs-emails-67420/?uuid-login=14003f9a-96c4-4f61-93e5-2e2b796345e6&email=OpenRecords%40alleghenycounty.us#agency-reply

Is this email coming to the wrong contact? Something else wrong? Use the above link to let us know.

For mailed responses, please address (see note):

MuckRock News
DEPT MR 67420
411A Highland Ave
Somerville, MA 02144-2516

PLEASE NOTE: This request is not filed by a MuckRock staff member, but is being sent through MuckRock by the above in order to better track, share, and manage public records requests. Also note that improperly addressed (i.e., with the requester's name rather than "MuckRock News" and the department number) requests might be returned as undeliverable.